

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. DAVID ANTONIO RODAS, JR., Defendant.	CR 23-138-BLG-SPW PRELIMINARY ORDER OF FORFEITURE
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THIS MATTER comes before the Court on the United States' Unopposed Motion for a Preliminary Order of Forfeiture (Doc. 31). The United States sought forfeiture of any property of the above-captioned person, pursuant to 21 U.S.C. §§ 853(a)(1) and (2) and 21 U.S.C. § 881(a)(11), as property used or intended to be used to facilitate the violations alleged in the indictment, as proceeds of said violations, or firearms used or intended to be used as facilitating property.

Defendant David Antonio Rodas, Jr. appeared before the Court on April 23, 2024, and entered a plea of guilty to count one of the indictment, which charged him with possession with intent to distribute controlled substances. Rodas's plea provides a factual basis and cause to issue an Order of Forfeiture, pursuant to 21

U.S.C. § 841(a)(1), 21 U.S.C. § 853, and Rule 32.2(b)(2), Federal Rules of Criminal Procedure.

ACCORDINGLY, IT IS ORDERED:

1. Rodas's interest in the following property is forfeited to the United States in accordance with 21 U.S.C. § 853:

- Smith & Wesson, model M&P 380 Shield EZ, .380 caliber, semi-automatic pistol (serial number RJW8361) with magazine;
- Seven rounds of .380 caliber ammunition;
- Sig Sauer, model P365, 9mm caliber semi-automatic pistol (serial number 66A310762);
- Six rounds of Winchester-Western 9mm caliber ammunition;
- Glock 17-round 9mm caliber magazine; and
- Eighteen rounds of assorted caliber ammunition.

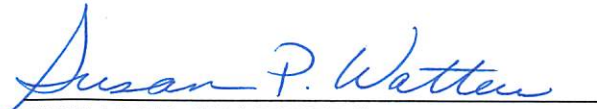
2. The United States, through ATF or a designated sub-custodian, is directed to seize the property subject to forfeiture. The property is to be held by the United States in its secure custody and control.

3. The United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the

Attorney General may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and

4. Upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be addressed.

DATED this 13th day of May, 2024.



SUSAN P. WATTERS
United States District Court Judge